

REMARKS

Claims 1-12 are currently pending, wherein claims 1-12 have been amended to more closely conform to U.S. practice. Favorable reconsideration is respectfully requested in view of the remarks presented herein below.

In paragraph 2 of the Office action (“Action”), the Examiner objects to the title as not being descriptive. Applicants respectfully assert that the current title, i.e., ELEVATOR BRAKE AND BRAKE CONTROL CIRCUIT, is descriptive in as much as the present invention is directed to an elevator brake and brake control circuit. However, if there is a specific amendment the Examiner believes would be even more descriptive, Applicants request that the Examiner provide a suggested amendment.

In paragraph 3 of the Action, the Examiner objects to the Abstract because it contains the term “comprises.” Applicants have amended the Abstract to address the Examiner’s concerns.

In paragraph 4 of the Action, the Examiner objects to the Specification for containing specific reference to a claim number. Applicants have amended the Specification to address the Examiner’s concerns.

In paragraph 5 of the Action, the Examiner rejects claims 1-11 under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-11 have been amended to more closely conform to U.S. practice thereby addressing the Examiner’s concerns. Reconsideration and withdrawal of the rejection of claims 1-11 is respectfully requested.

In paragraph 7 of the Action, the Examiner rejects claims 12 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,116,306 to Alley (“Alley”). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 102, the cited reference must teach each and every claimed element. In the present case, claim 12 is patentable over Alley for at least the reason that Alley fails to disclose each and every claimed element.

Alley discloses a main ac power source voltage connected to brake coil 33 via a first terminal connected via terminal 2, CR2, and terminal 19, and a second terminal connected, via terminal 1, fuses F2 and F3, and terminal 18. In other words, only CR2 can interrupt the main ac power to the brake coil 33 and CR1 does not interrupt current flowing through the brake coil 33 at all. In contrast, according to present invention current is supplied to the brake coil via a direct current circuit, and the brake coil current can be completely interrupted by one of two semiconductor switches controlling brake coil current. Furthermore, in order to expedite prosecution and allowance of the present application, claim 12 has been amended to include the subject matter of claim 1, thereby rendering this rejection moot.

In paragraph 9 of the Action, the Examiner rejects claims 1-11 under 35 U.S.C. §103(a) as being unpatentable over Alley in view of U.S. Patent No. 5,153,389 to Nomura ("Nomura"). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness three criteria must be met. First, there must be some rationale to combine the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. The present case, claims 1-11 are patentable over the combination of Alley and Nomura for at least the fact that the combination fails to disclose that the control unit *alternately operates* the at least two semiconductor switches, such that the working condition of

each switch can be checked in its turn on the basis of feedback data obtained from the current measuring unit as claimed.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle Reg. No. 46,607 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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